

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In the Matter of A.B.M.)	
)	
FRANCO BARTZIK RUBIO,)	<u>Protective Order</u>
)	
Petitioner,)	
)	
vs.)	No. 22-cv-02588 (JMF)
)	
SANDRA LETICIA MORALES LOPEZ,)	<u>No. 23-cv-1423 (JMF)</u>
)	
Respondent.)	
)	

This matter having come before this Court by the filing of a Verified Complaint and Petition for the Return of a Child pursuant to the Hague Convention on the Civil Aspects of International Child Abduction (“Hague Convention”) and the International Child Abduction Remedies Act, 22. U.S.C. § 9001 *et seq.* (“ICARA”) on March 16, 2022. ECF No. 1. Petitioner sought leave to request certain discovery (ECF No. 22), which was granted by this Court on March 14, 2023 (ECF No. 24) subject to a protective order. Therefore, it is hereby **ORDERED** as follows:

1. Except with the prior written consent of the Respondent or by order of the Court, information produced by Respondent or any third-parties in response to the Petitioner’s First Request for the Production of Documents and the Subpoena issued by Petitioner to the New York City Department of Education, dated March 16, 2023, shall not be furnished, shown, or disclosed to any person or entity except:
 - (a) Counsel for the parties to this action and their associated attorneys within their respective law firms including, but not limited to, paralegals and other professional and non-professional personnel (including support staff), who are directly assisting


counsel in the preparation of this action under the supervision or control of such counsel, and who have been advised by such counsel of their obligations to keep such information confidential pursuant to this Protective Order;

(b) the Court and Court personnel;

(c) any other person agreed to by the Respondent and / or her counsel in writing.

2. This Order is entered without prejudice to the right of any Party to seek relief from, or modification of, this Order or any of its provisions by properly-noticed motion to the Court.

Dated: April 20, 2023



JESSE M. FURMAN
United States District Judge

This stipulation binds the parties to treat as confidential the documents so classified. This Court, however, has not reviewed the documents referenced herein; therefore, by so ordering this stipulation, the Court makes no finding as to whether the documents are confidential. That finding will be made, if ever, upon a document-by-document review pursuant to the procedures set forth in the Court's Individual Rules and Practices and subject to the presumption in favor of public access to "judicial documents." See generally *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). To that end, the Court does not "so order" any provision to the extent that it purports to authorize the parties to file documents under seal without a prior court order. See *New York ex rel. Khurana v. Spherion Corp.*, No. 15-CV-6605 (JMF), 2019 WL 3294170 (S.D.N.Y. July 19, 2019).